
NEWS From:

Congressman Mike Honda

FIFTEENTH DISTRICT - CALIFORNIA



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Rep. Honda Introduces Bill to Prevent Child Choking Deaths

WASHINGTON, Nov. 14, 2002 — Today, Rep. Mike Honda (D-San Jose) introduced the “Food Choking Prevention Act” in the U.S. Congress. This legislation would require the Food and Drug Administration (FDA) to create an office to investigate food products that have been associated with unusual choking incidents, and determine whether they pose significant choking risks to children. Since 1999, at least two children from the San Francisco Bay Area have died as a result of choking on “gel candies” while another child has been permanently paralyzed from choking on similar candy. Six deaths have been linked to “gel candies” in the U.S. However, there are no accurate statistics on the total number of deaths or injuries that result from food choking hazards as there is no adequate reporting system.

“It is clear to me that the FDA does not have the expertise or procedures in place to investigate child food choking hazards,” said Honda. “Not only have children died unnecessarily, but it is especially troubling that ‘gel candies’, marketed primarily to children, are still showing up on store shelves.”

Rep. Honda’s “Food Choking Prevention Act” would:

- Create an Office of Choking Hazard Evaluation within the FDA;
- Grant the FDA authority to require warning labels on foods that pose high choking risk to children;
- Grant the FDA mandatory recall authority for foods that pose an unacceptable choking hazard;
- Require the FDA to establish a national database of unusual food choking incidents.

When experts at FDA and the Consumer Product Safety Commission (which analyzes toy choking hazards) finally investigated gel candies, they determined that the ingredients, shape, and consistency of the candies made them a significant choking risk for children, as the candies “might easily slip into the back of the throat in an intact plug-like form ... and would not readily dissolve.”

The FDA has the statutory authority and responsibility to protect the public from food hazards, but in the case of “gel candies”, they did not even issue a *warning* about their danger until multiple children had died. The FDA does not have the legal authority to issue mandatory recalls of food products that are proven to be dangerous.

The Centers for Disease Control and Prevention released a report two weeks ago, finding that children under 14-years-old are physiologically more vulnerable to choking risks. These findings underscore the need for FDA to more effectively fulfill its role in protecting our children from preventable deaths and injuries.